

**Subject: Zoning By-law Amendment - 1 Old Sunset Boulevard**

**File Number: ACS2023-PRE-PS-0071**

**Report to Planning and Housing Committee on 7 June 2023**

**and Council 14 June 2023**

**Submitted on May 26, 2023 by Derrick Moodie, Director, Planning Services,  
Planning, Real Estate and Economic Development**

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**Ward: Capital (17)**

**Objet : Modification au Règlement de zonage – 1, boulevard Old Sunset**

**Dossier : ACS2023-PRE-PS-0071**

**Rapport au Comité de la planification et du logement**

**le 7 juin 2023**

**et au Conseil le 14 juin 2023**

**Soumis le 26 mai 2023 par Derrick Moodie, Directeur, Services de la planification,  
Direction générale de la planification, des biens immobiliers et du développement  
économique**

**Personne ressource : Jean-Charles Renaud, Urbaniste, Examen des demandes  
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**Quartier : Capitale (17)**

## REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1 Old Sunset Boulevard, as shown in Document 1, from R1QQ (Residential First Density, Subzone QQ) to R2P[xxxx] (Residential Second Density, Subzone P, Exception xxxx) to permit a three-storey semi-detached dwelling with secondary units, as detailed in Document 2.
2. That Planning and Housing Committee approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* ‘Explanation Requirements’ at the City Council Meeting of June 14, 2023,” subject to submissions received between the publication of this report and the time of Council’s decision.

## RECOMMANDATIONS DU RAPPORT

1. Que le Comité de la planification et du logement recommande au Conseil d’approuver une modification du Règlement de zonage 2008-250 visant le 1, boulevard Old Sunset, comme cela est illustré dans le document 1, de R1QQ (zone résidentielle de densité 1, sous-zone QQ) à R2P[xxxx] (zone résidentielle de densité 2, sous-zone P, exception xxxx) pour permettre une maison jumelée de trois étages avec des logements secondaires, comme cela est décrit dans le document 2.
2. Que le Comité de la planification et du logement approuve que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux « exigences d’explication » aux termes de la *Loi sur l’aménagement du territoire*, lors de la réunion du conseil prévue le 14 juin 2023 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.

## BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

**Site location**

1 Old Sunset Boulevard

**Owner**

Derick Cotnam

**Applicant**

Hamel Design & Planning (Jacques Hamel)

**Description of site and surroundings**

The subject site is located in the Glebe Annex neighborhood and has frontage on Old Sunset Boulevard, Madawaska Drive, and Bronson Avenue. The area is mainly characterized by residential uses such as single and semi-detached dwellings, as well as some low-rise apartment buildings. Additionally, there are existing institutional, parkland and recreational uses nearby. The subject site is currently occupied by a two-storey detached dwelling, which is proposed to be demolished.

**Summary of proposed development**

The purpose of this application is to permit the development of a semi-detached dwelling with secondary units, along with one parking space for the north unit. The proposed building will include two primary dwelling units; one unit having frontage on Old Sunset Boulevard (Unit B) and the other unit having frontage on Madawaska Drive (Unit A). Unit A, has a Gross Floor Area (GFA) of 198 square metres and contains three bedrooms. The secondary suite (basement level) in Unit A has a GFA of 64 square metres with two bedrooms. Unit B, has a GFA of 201 square metres and contains four bedrooms. The secondary suite (basement level) in Unit B has a GFA of 67 square metres with two bedrooms. The proposed development includes a driveway leading to one vehicular parking space accessed via Madawaska Drive.

**Summary of requested Zoning By-law amendment**

The applicant seeks to rezone the subject site from R1QQ (Residential First Density, Subzone QQ) to R2P[xxxx] (Residential Second Density, Subzone P, Exception xxxx). The R2P zone would allow the proposed use of a semi-detached dwelling with accessory dwellings, and the site-specific exception would include provisions similar to the following:

- Reduced lot area: 132 square metres and 152 square metres, whereas 240 square metres is required.
- Reduced front yard setback (Madawaska Drive frontage): 3 metres, whereas 3.8 metres is required
- Reduced front yard setback (Old Sunset Boulevard): 2.5 metres, whereas 2.9 metres is required
- Removal of interior yard area requirements (out of an abundance of caution).
- Permission to locate an entrance to a secondary dwelling unit on the basement level, whereas the entrance to a secondary dwelling unit must be located on the ground floor.
- Permission to locate above-grade portions of the sunken balcony along the east side of the building at 0 metre from the corner side property line (out of an abundance of caution).
- Consider all lands associated with this development to be one lot for zoning purposes.

## **DISCUSSION**

### **Public consultation**

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. Comments were received from 17 residents, who expressed concerns related to density, noise, height, parking, traffic and the potential for student housing.

A petition signed by 23 nearby residents shows 92 per cent opposition to the proposal. While the residents signing the petition wished to remain anonymous, the covering letter is included under Document 4.

For this proposal's consultation details, see Document 3 of this report.

### **Official Plan designation(s)**

The property is located within the Inner Urban Transect Policy Area on Schedule A of the Official Plan, which is an area that anticipates the enhancement or establishment of urban patterns of built forms, site design and mix of uses, while prioritizing walking, cycling and transit.

The property is located along Bronson Avenue, which is designated as a Mainstreet Corridor on Schedule B2 of the Official Plan. Corridors apply to lands abutting specified streets whose planned function includes a higher density of development than abutting neighbourhoods.

### **Heritage**

The property is not located within a Heritage Conservation District, nor is it affected by the Zoning By-law's Heritage Overlay. The existing dwelling and lands are not designated under the *Ontario Heritage Act*.

### **Urban Design Review Panel**

The proposed development is not within a design priority area and is therefore not subject to review by the panel.

### **Planning rationale**

#### Official Plan

The site in question is located within the Inner Urban Transect Policy Area on Schedule A of the Official Plan. The Policy Area anticipates the enhancement or establishment of urban patterns of built forms, site design and mix of uses, while prioritizing walking, cycling and transit. The Inner Urban Transect is generally planned for mid- to high-density development, but limits on heights and massing can be imposed based on the underlying functional designation or urban design policies. The proposed three-storey building is at the lower range of mid-rise heights consistent with the policy framework for the area.

Having frontage on Bronson Street, the property benefits from a Mainstreet Corridor Designation under Schedule B2 of the Official Plan. Corridor designations apply to bands of land along specified streets whose planned function combines a higher density of development, a greater degree of mixed uses and a higher level of street transit services than abutting Neighbourhoods. Development along corridors is encouraged to establish buildings that locate the maximum permitted heights and highest densities close to the corridor, while ensuring appropriate transitions in height, design and character. The Official Plan recognizes Mainstreet Corridors as having a different context from their immediate surroundings. The Official Plan further states that sites that front on segments of streets whose right-of-way is narrower than 30 metres (which is the case for Bronson Avenue) can accommodate heights up to nine- storeys.

While not technically within a Neighbourhood Designation due to the prevailing Mainstreet Corridor Designation, the surrounding area is designated as an Evolving

Neighbourhood in the Official Plan. These areas permit building heights within a low-rise range of development and also strive to support the development of the 15-minute neighbourhood, as discussed above. The Neighbourhood policies seek to distribute the allowed densities in a manner which would allow higher densities in areas closer to transit stations, Corridors, and major neighbourhood amenities. The “evolving” overlay is applied to areas in close proximity to Hubs and Corridors and is meant to signal a gradual evolution over time that will see a change in character to support intensification, including guidance for a change in character from suburban to urban to allow new built forms and more diverse functions of land.

Section 4.6 sets out Urban Design guidance with the intent of achieving design excellence and innovation, while also being sensitive to the integration of new developments within existing neighbourhoods. Development along Corridors is intended to respond to the context, transect area and overlay policies, and should be positioned so as to appropriately frame the adjacent street(s). The proposed development takes advantage of its location on a corner through lot by properly framing the three street frontages. In order to remain sensitive to the surrounding uses, the proposed height of the building remains comparable to other dwellings further west on Old Sunset Boulevard when measured as heights above sea level. The impact of the massing from the south is mitigated by the narrow south façade of the proposed building, which itself is articulated with varying wall setbacks, balconies and contrasting building materials. The proposed setbacks are generally consistent with the neighbouring properties and help create a uniform streetscape. The proposed building’s overall architectural design is successful in integrating it within the existing context of the neighbourhood.

Staff are of the opinion that the proposed rezoning to an R2 zone for the purposes of introducing a three-storey semi-detached dwelling is consistent with Official Plan policies and represents a built-form consistent with the planned function while also maintaining compatibility with its existing surroundings.

### **Zoning By-law**

As detailed in Document 2, the proposed Zoning By-law Amendment has the effect of rezoning the site to include site specific provisions. The following summarizes the site-specific zoning provisions and planning rationale:

- The property in question has frontage on three different streets and is therefore defined as a “corner through lot” under the Zoning By-law. The minimum required front yard setback applies to both the front and rear lot lines, and the minimum required rear yard setback does not apply. Section 144 of the Zoning By-law seeks to align the front yard setback with the average of the abutting lots’

corresponding yard setback abutting the street. The proposal seeks a reduction to the front yard setback along Madawaska Drive to 3.0 metres whereas 3.8 metres would be required, and along Old Sunset Boulevard to 2.5 metres whereas 2.9 metres would be required. It should be noted that most of the Old Sunset Boulevard frontage is located at the required 3.0 metre setback, except for the corner of the proposed building that is to be located 2.5 metres from the corner sight triangle. Given the site's location on the outside edge of the residential neighbourhood, and abutting a Mainstreet Corridor, staff have no concerns with the proposed reductions.

- The proposal seeks to reduce the lot area for semi-detached units to 132 square metres and 152 square metres, whereas the R2P zone requires a minimum lot area of 240 square metres for semi-detached dwelling units. It is important to highlight that each half of the semi-detached is subject to lot area requirements and the existing property is 284.8 square metres in total lot area. Zoning provisions for corner lots strive to take advantage of both street frontages by allowing the building's façade to extend along both frontages, increasing such a building's footprint. Being a corner through lot further accentuates the building footprint that would be considered appropriate for this site. Given this policy direction and understanding that an otherwise traditional rear yard would be replaced with an interior yard in this case, staff are of the opinion that it is appropriate to consider this reduction in lot area.
- In order to avoid complications should the semi-detached units be severed in the future it is proposed to remove the interior yard provisions of Section 144(6) in the Zoning By-law. The provision applies to dwellings having frontage on multiple streets but refer to the subject property and the neighbouring property's rear yards, which do not exist in a corner through lot and through lot situation. When facing the proposed building from either the Old Sunset Boulevard frontage or the Madawaska Drive frontage, the western side yard presents itself as an interior side yard which, at 1.2 metres, would meet the by-law requirements if it were defined as such.
- The proposal seeks to locate an entrance to a Secondary Dwelling Unit on the basement level whereas an entrance to a Secondary Dwelling Unit is required to be located on the ground floor of a dwelling. Given the unique topography of the site and the dwelling's multiple balconies and other entrances, the proposed building remains successful in providing active entrances and social spaces facing the public realm and contributes to street-level animation. Staff therefore

have no objection to locating the Secondary Dwelling Unit's entrance at the basement level.

- Out of an abundance of caution it is proposed to include a provision which would allow any portion of the sunken patio along Bronson Avenue to be located at 0 metre from the corner side property line. The outside wall of the building will remain at the required 3.0 metre setback. Any protrusion above grade of the sunken patio will appear to be no higher than a curb (if anything) from the perspective of a pedestrian walking along Bronson Avenue and would not be otherwise noticeable.
- Given the challenges related to the nature of a corner through lot development as it relates to the definition of some yards, and with a potential severance of the proposed semi-detached dwelling in the future, it is deemed appropriate to consider all lands associated with this development to be one lot for zoning purposes.

### **Provincial Policy Statement**

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

### **RURAL IMPLICATIONS**

There are no Rural Implications associated with this report.

### **COMMENTS BY THE WARD COUNCILLOR(S)**

The Councillor is aware of the application related to this report.

### **ADVISORY COMMITTEE(S) COMMENTS**

N/A

### **LEGAL IMPLICATIONS**

If the zoning amendment is approved and the matter is appealed to the Tribunal, it is estimated that an appeal would take two to three days and could be addressed with City resources. If the zoning amendment is refused, a planning rationale will need to be provided. The time estimate for an appeal remains the same, however, the City will need to retain external experts in the area of land-use planning and transportation planning.

**RISK MANAGEMENT IMPLICATIONS**

There are no risk implications associated with this report.

**ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with the recommendations in this report.

**FINANCIAL IMPLICATIONS**

There are no direct financial implications. In the event the applications are refused and appealed, it would be necessary to retain an external planner. This expense would be funded from within Planning Services operating budget.

**ACCESSIBILITY IMPACTS**

None of the proposal's units are proposed to be accessible. The Ontario Building Code does not have accessibility or barrier-free unit requirements when considering the construction of a semi-detached dwelling.

**APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-22-0073) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to delays between submissions.

**SUPPORTING DOCUMENTATION**

Document 1 Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Petition

Document 5 Proposed Site Plan

Document 6 Proposal Rendering

**CONCLUSION**

The Planning, Real Estate and Economic Development Department supports the application and proposed Zoning By-law Amendment. The proposal is consistent with the Official Plan policies in the Inner Urban Transect Policy Area, as well as those related to Mainstreet Corridors. The proposed Zoning By-law amendment is appropriate

for the site and maintains policy objectives related to Evolving Neighbourhoods and Urban Design. The amendment represents good planning and, for the reasons stated above, staff recommends approval of the Zoning By-law amendment.

## **DISPOSITION**

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.

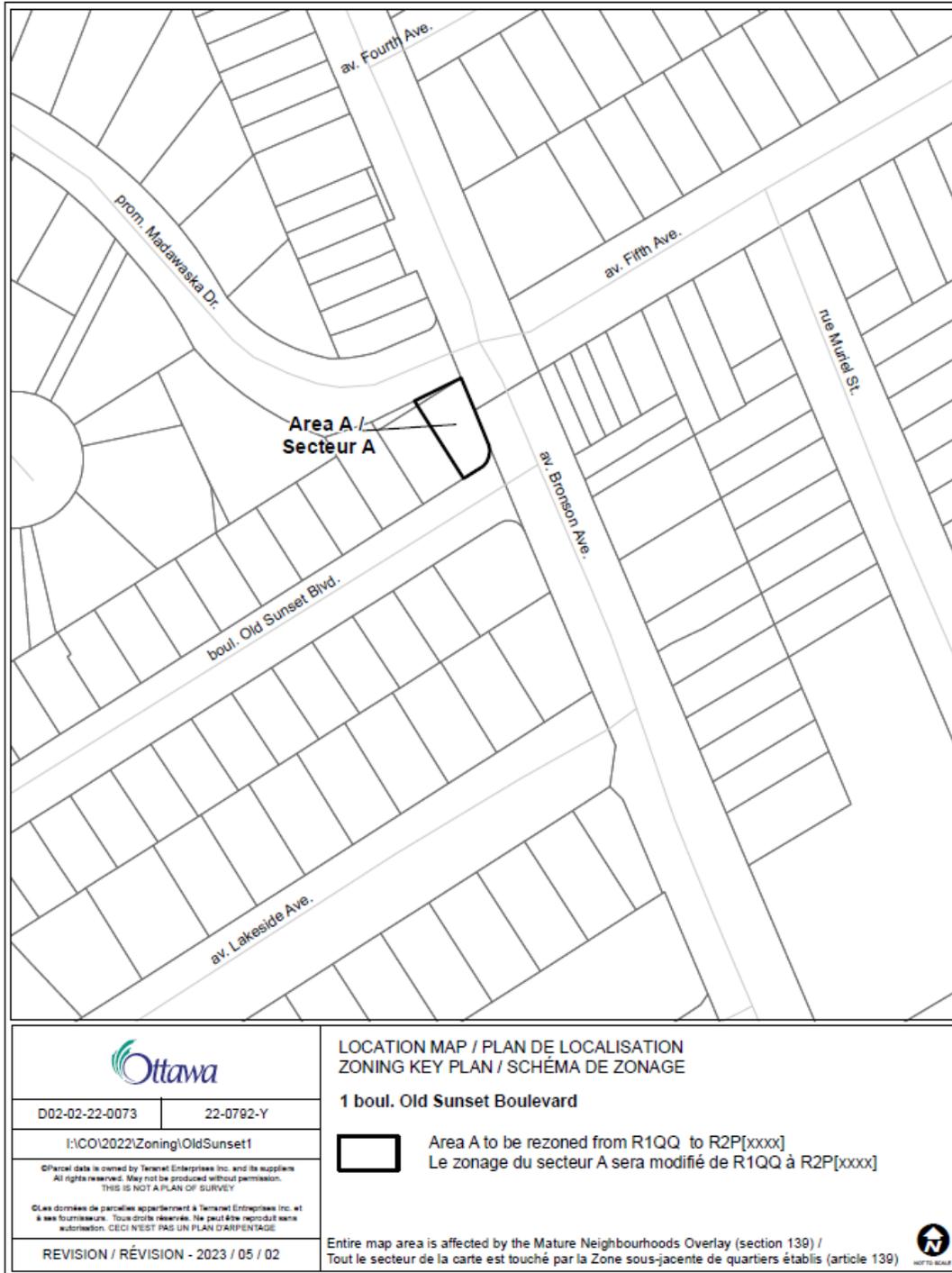
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.

**Document 1 – Zoning Key Map**

For an interactive Zoning map of Ottawa visit [geoOttawa](https://geoottawa.com)



The location map shows the subject property’s location, fronting on Bronson Avenue, Old Sunset Boulevard and Madawaska Drive, and indicates the requested zoning amendment.

## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1 Old Sunset Boulevard:

Add a new exception with provisions similar in effect with the following:

1. Rezone the lands as shown in Document 1.
2. Add a new exception xxxx to Section 239 Urban – Exceptions with provisions similar in effect to the following:
  - a. In Column I, Exception Number, add the text “[xxxx]”
  - b. In Column II, Applicable Zones, add the text “R2P[xxxx]”
  - c. In Column V, Provisions, add the text:
    - i. Minimum Lot Area: 132 square metres
    - ii. Minimum Front Yard Setback along Old Sunset Boulevard: 2.5 metres
    - iii. Minimum Front Yard Setback along Madawaska Drive: 3 metres
    - iv. Section 144(6) does not apply.
    - v. Entrance to a Secondary Dwelling Unit is permitted to be located at the basement level.
    - vi. Above-grade portions of the sunken balcony along the east side of the building are permitted to be located 0 metre from the corner side property line.
    - vii. The lands zoned R2P[xxxx] are to be considered one lot for zoning purposes.

### Document 3 – Consultation Details

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

A petition signed by 23 nearby residents shows 92 per cent opposition to the proposal. While the residents signing the petition wished to remain anonymous, the covering letter is included under Document 4.

#### Public Comments and Responses:

##### General:

- Why have zoning if the first thing that seems to happen is a request to change the zoning?
- I am concerned with the total number of occupants of the building and the stresses a large number of occupants would put on the neighbourhood. These stresses include the demand for parking, the need to safely store a large volume of garbage and recycling boxes (to avoid a problem with rats and other vermin), and the need to keep the sidewalks clear of garbage and recycling boxes on garbage collection day. The stresses may even involve the need for more City water and sewer services. More occupants equal more stresses.
- I have concerns with the creep of student housing within the neighbourhood.
- A change from R1 to R2 zoning, if granted, might well be cited as a precedent to allow more such changes along Bronson and eventually into the Dow's Lake neighbourhood: not what should be allowed to creep further into the established neighbourhood, and also a concern RE: turning Bronson into a "tunnel" of taller buildings — perhaps not as extreme as is being done to Wellington in Westboro but still a concern.
- From an energy efficiency perspective, I think the individual units could be improved by having some kind of enclosed entryway or vestibule, rather than having the entry door open directly into a room.
- I have concerns with potential noise issues relating to the rooftop patio.

#### Staff Response:

- The Zoning By-law is meant to reflect performance standards in relatively broad terms. Not all properties nor contexts are the same, which is why the *Ontario Planning Act* allows landowners to apply for Zoning By-law Amendment applications.
- Only one parking space is being provided on site, which limits the potential for concern regarding added vehicular traffic. This property will be developed with the understanding that no parking is provided and is therefore intended to attract tenants who do not have vehicles.
- Any future concerns related to property maintenance should be flagged to By-law Services.
- The *Ontario Planning Act* does not allow municipalities to plan for specific types of people. Regardless of the tenant's life status, the proposed development is reviewed based on the merits of the proposed building itself within the existing context.
- Each application is reviewed based on its own merits. This particular property benefits from some elements that make the proposal appropriate for its location. This may not be the case for a different property within the same neighbourhood.
- As proposed, the rooftop patio is a permitted feature. Any noise issues related to it should be flagged to By-law Services.

#### Height/Built Form

- The proposal is incompatible with the existing use land pattern. There is no other house on Old Sunset Boulevard or Madawaska Drive that even approach the proposed building and the building will tower over all other houses on the streets.
- The proposed height will have great impact on the neighbourhood, particularly as it relates to impact on the character and impact on access to sunlight.
- A roof terrace on a quiet residential single home street like Madawaska Drive will increase the noise levels and change the character of the neighbourhood. This concern is especially based on the assumption by the proposal that the renters of this new development will be Carleton University students.

Staff Response:

- The proposal is deemed to be compatible with the planned context of the neighbourhood given the site's location along a Mainstreet Corridor and adjacent to an Evolving Neighbourhood Overlay within the Official Plan. While slightly taller than other nearby dwellings, the design incorporates elements such as stepbacks and strategic material choices that help mitigate concerns with compatibility.
- As proposed, the rooftop patio is a permitted feature. Any noise issues related to it should be flagged to By-law Services. The *Ontario Planning Act* does not allow municipalities to plan for specific types of people.

Parking/Traffic

- I'm concerned with the fact that there are 11 bedrooms proposed, but only one parking space. This will impact the parking situation within the neighbourhood.
- I am concerned about the impact on this particularly dangerous intersection (Madawaska Drive and Bronson Avenue) with a new laneway off a curving section of Madawaska Drive, already with limited visibility around a corner, with poor access for bikes etc, increasing the risk of collisions/safety with children frequently crossing to attend school or visit parks in the glebe.
- Granting on-street parking permits to occupants on neighbouring streets will further increase stress on the limited parking on Madawaska Drive with significant increase in risk for potential conflicts and accidents.

Staff Response:

- The Zoning By-law does not require any parking spaces for the first twelve units of a residential building. The proposed two dwelling units and two secondary dwelling units meet the Zoning By-law requirements.
- The location of the proposed one-vehicle driveway was reviewed by City Staff and was deemed to be acceptable.
- This property will be developed with the understanding that no parking is provided and is therefore intended to attract tenants who do not have vehicles.

### Comments from Dow's Lake Residents' Association (DLRA)

- It is the DLRA's position that development in the area should always strive to support the long term goals of the Official Plan, that Zoning Regulations are followed, and that all building projects are contemplated in a manner which reflects a broader sustainable vision for the area. The DLRA does not support the proposed Zoning By-law Amendment.
- The proposal will introduce housing which is incongruous with the character of the area and is unlikely to enhance the community dynamic.
- The DLRA remains concerned about the absence of a clear vision for Bronson Avenue. In such absence, piecemeal development along Bronson will result in a fragmented and incoherent street over the long term.
- The development has the potential to impact traffic flows, which will cause safety issues for pedestrians, cyclists and motorists. With a built form that covers a greater percentage of the property, it may also impact the existing infrastructure, much of which is outdated.
- It is unclear to us whether the current design has undergone a Streetscape Character Analysis (SCA). The city's approval of a four-storey building that circumvents the SCA process diminishes and makes the Mature Neighbourhood Overlay irrelevant. In other mature areas like Sandy Hill rooftop terraces are not allowed. It is unclear why the city would allow them in this area.

### Staff Response:

- As proposed, the development aligns with City policies related to designated Corridors and Evolving Neighbourhoods, with an architectural style which enhances its integration within the existing context.
- The introduction of a single parking space is not expected to negatively affect traffic flows within the neighbourhood.
- Elements related to grading, drainage and servicing will be evaluated at the Building Permit stage. The review will ensure its appropriate implementation.
- An SCA was completed and resulted in a BBA character grouping. The proposed development meets the requirements of this character grouping.

## **Document 4 – Petition**

A petition signed by 23 nearby residents shows 92 per cent opposition to the proposal. While the residents signing the petition wished to remain anonymous, the covering letter is included below.

**We the undersigned are presenting this petition to Counsellor Shawn Menard and to the City of Ottawa Planning Department with respect to the application for a zoning by-law amendment and development of 1 Old Sunset Boulevard (City of Ottawa file no. Do3-02-22-0073).**

### **Overview Current Site**

The site has frontage on Old Sunset Boulevard, Madawaska Drive, and Bronson Avenue. Number 1 Old Sunset Boulevard is currently occupied by a two-storey detached dwelling. The site is currently zoned Residential First Density, Subzone QQ (R1QQ). An application has been made by the owners for redesignation to R2 (P).

### **Proposed Site**

The proposed site is described by the developer as consisting of two primary dwelling units; one unit with frontage on Old Sunset Boulevard and the other unit with frontage on Madawaska Drive. In total there will be two primary units one with three bedrooms and the other with four and a basement floor with four bedrooms, with a total of 11 bedrooms and 1 parking space accessed off Madawaska Drive.

#### **1. Opposition to rezoning the site from R1 to R2-**

##### **1. Reasons why the development does not adhere to the R2 Residential Second Density Zone regulations.**

One of the major parts of the development is on Madawaska Drive, a narrow, winding road with blind spots, two-way traffic, two-sided parking and two way bike paths. We believe that introducing a new three story plus development at the intersection

of Bronson Avenue, Old Sunset Boulevard and Madawaska Drive has great potential to cause major safety, parking, noise, height issues and traffic congestion all the way down the length of Madawaska Drive and Old Sunset Boulevard A major part of the development will take place on both side streets, in effect establishing an R2 building in a substantial part of the R1 Residential First Density Zone in the two adjoining streets.

The R2 zone regulations also require that the development be undertaken “in a manner that is compatible with the existing land use patterns so that the detached and two

principle dwelling residential character of a neighborhood is maintained or enhanced..” It is clear from the comments above and below that the development will seriously impact negatively on the neighbourhood in the streets behind the development rather than maintaining or enhancing it.

The zoning by-law amendment proposal summary by the developer File No: D02-02-22-0073 also states that one unit will have frontage on Old Sunset Boulevard and the other unit will have frontage on Madawaska Drive. This already seems to be an admission that the project requires R2 zone approval on frontage in the R1 zones in violation of R2 zone requirements which states:

The following conditional use is also permitted in the R2 zone subject to the following:

1. It is located on a lot fronting on and having direct vehicular access to an Arterial or Major Collector Road, such roads which are indicated in Schedule 3 – Urban Road Network...

Neither Old Sunset Boulevard nor Madawaska Drive are Arterial or Collector Roads and the request for vehicular access on Madawaska Road is a major incursion into the R1 Residential First Density Zone.

2. **There are key safety concerns for cyclists, pedestrians resulting from the existing and proposed extension of the large retaining walls.**

The proposed design calls for retaining walls built on City Property which greatly impacts safety for pedestrians. The existing and proposed extension of the large retaining wall lies well outside the lot lines, on City property. Bronson Avenue is designated an arterial road. The City of Ottawa's own recommendations for arterial road cross-sections indicate that sidewalk width be a minimum of 2 meters. [Document 1: Arterial Road Cross-Sections \(ottawa.ca\)](#) Currently, the sidewalk measures from 1.3 to 1.5 meters on this extremely dangerous stretch of pedestrian walkway (which also includes hydro poles and mailboxes that must be navigated). Pedestrians are currently forced to walk single-file, pressed against the inside edge of the sidewalk. Most cyclists also ride on this narrow sidewalk as there is no space for bikes on the road. This intersection poses great danger to both pedestrians and cyclists crossing the road to bus stops and entrance to Fifth Avenue. Following an extensive review of this area, recommendations were made in 2015 to greatly increase space for active transportation along this route primarily for safety reasons. [bronsonreport\\_final-webversion\\_modb.pdf \(wordpress.com\)](#)

The proposal extends past the minimum setback in the front yard by almost a metre. In addition, the width of the building extends a full metre beyond the minimum required setback. This at a location that is perilously close to an already very dangerous intersection. A location that requires an increase in sidewalk width for safety and compliance. This proposal pushes pedestrians and cyclists much closer to traffic than is legally permitted.

**2. Opposition to the proposed new access and parking space for the development at the corner of Madawaska Drive and Bronson Avenue due to significant safety concerns for both pedestrians, cyclists and blockage of traffic waiting at the traffic lights**

Given that the R2 zoning requirements stated above requires that the development should have direct vehicular access to an Arterial or Collector Road, which Madawaska Drive is not one, we suggest that at minimum, no R2 planning should be permitted for the proposal to insert a direct vehicular driveway leading to one parking space on

Madawaska drive. Such granting of direct vehicular access on one of the city's most dangerous intersections should not be part of an R2 zoning grant.

The corner of Bronson Avenue and Madawaska Drive has long been recognized as a dangerous intersection for pedestrians, cyclists, and drivers. The entrance to Bronson is often reduced to one lane in the winter by snow and wooden blockades during special events. It is a planned site for school bus pickup and drop off. During busy traffic periods and heavy winter snows, the traffic is backed up waiting at the traffic lights and remains backed into the intersections after the light has changed. The addition of another access point at the entrance increases the risk of loss of life and serious injury. We strongly recommend that the proposed parking access remain on Bronson Avenue, as it is currently for this lot.

**3. Opposition to parking permits for occupants on neighbouring streets**

The assumption made in the proposal is that the renters will be Carleton University students who will not own cars and only use bicycles and public transit. At the same time the developer has already expressed his intention to seek access for parking permits for the residents of the new development, further increasing stress on the limited parking in the area. If the intention is only to rent to people without cars, permit parking should not be required or allowed. It should also be noted that there is a long history of parking infringements by the residents of/ or visitor to number 1 Old Sunset Boulevard on the parking spaces of neighbouring houses.

**4. Opposition to the inclusion of a fourth floor, roof Top terrace**

A fifth-floor roof top terrace will block the light for neighbours. It could also be used for visitors and other parties, increasing the noise levels and changing the character of the surrounding residential homes which as stated above is specifically mentioned should be avoided in R2 Zone requirements.

Moreover, the roof deck and the covered stairs both exceed 11 metres above grade allowed by R2 zoning. Roof height has been calculated at high grade, extending the proposed height significantly. The Canada Building code 1.4.1.2. specifies that building height is measured from grade as follows: " Grade means the lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized depressions need not be considered in the determination of average levels of finished ground. (See First storey and Note A-1.4.1.2.(1).)" [National Building Code of Canada 2015 \(publications.gc.ca\)](http://www.nbc.ca/publications.gc.ca)

In effect, the terrace should be considered a fifth floor that should not be allowed under the R2 Zone conditions.

#### 5. **Clarification on the classification of the development under R2 Zone**

There is a need for clarification on how this building is classified and whether it fits the R2 definition of a "detached and two principal buildings" under the R2 Zone conditions.

The zoning by-law amendment proposal by the developers mentions two primary dwelling units with unit A with three bedrooms on the Madawaska Drive front and unit B having four bedrooms on the Old Sunset Boulevard front. However, the same proposal indicates a basement floor unit A having two bedrooms and unit B having two bedrooms. This makes the total count of 11 bedrooms and potentially 11-22 occupants, depending on how the rooms are occupied, post-construction. This could well make the development take shape as a rooming or boarding house and realistically an apartment building that goes beyond the R2 Zone condition.

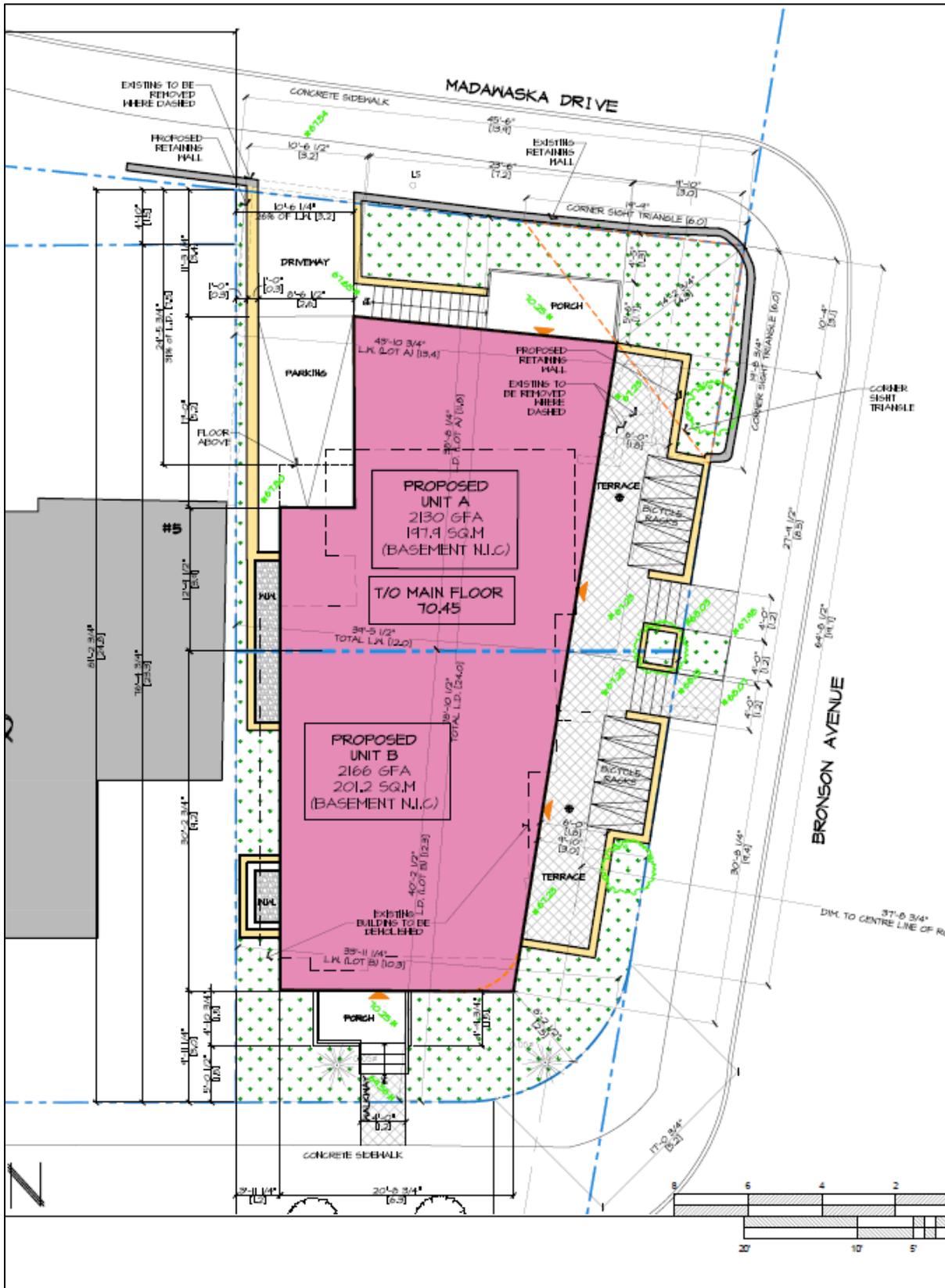
It should be noted that the entrance to the secondary unit is located at what the developers are calling the "basement level". Zoning requires this entrance to be at ground level. From the plans, it is clear that this "basement entrance" is in name only, as it is at ground level when the building height calculations are correctly done. This would make the project a four-story building with R2 zone compliance questionable.

#### **Other points**

1. **No identification in the plan where garbage/recycling will be stored and picked up.** This should be off Bronson Avenue, for the reasons mentioned above.

**The development application for 1 Sunset Boulevard conflicts with the Bronson Avenue Reconstruction and revisioning report, 2015. [bronsonreport\\_final-webversion\\_modb.pdf \(wordpress.com\)](#)** It is critically important is that the sidewalk width along Bronson be increased and that space be given to cyclists. The city will be undergoing a review of Bronson Avenue soon. The City's own recommendations are to create safe and enjoyable active transportation routes. This development does not allow for that, and building it at this traffic point, could seriously hinder the future plans for Bronson. It will also make an already dangerous traffic point where there have been serious accidents, worse.

Document 5 – Proposed Site Plan



Document 6 – Proposal Renderings

